

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LAWRENCE CHRISTOPHER SMITH,
Plaintiff,
v.
SECRETARY, et al.,
Defendants.

No. 1:23-cv-00526-KES-SAB (PC)

ORDER DENYING PLAINTIFF’S MOTION
FOR EXPEDITED REVIEW

(ECF No. 44)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On December 6, 2024, Plaintiff filed a third amended complaint. (ECF No. 42.) On December 9, 2024, Plaintiff filed a declaration. (ECF No. 43.)

On December 23, 2024, Plaintiff filed a “Motion For Expedited Hearing Judicial Code § 1657,” pursuant to 28 U.S.C. § 1657.¹ (ECF No. 44.) Because Plaintiff’s third amended complaint is pending screening pursuant to 28 U.S.C. § 1915A, the Court construes Plaintiff’s motion to be a request for expedited screening. As Plaintiff was advised in the First Informational Order, “[t]his Court screens pro se plaintiff’s complaints as expeditiously as

¹ Section 1657(a) of title 28 of the United States Code, states that the “court shall expedite the consideration of ... any action for temporary or preliminary injunctive relief.” While Plaintiff may vague reference to injunctive relief as a part of relief in his third amended complaint, the Court does not find good cause for expedite consideration of his pending civil rights complaint. Indeed, to date, Plaintiff has failed to state a cognizable claim relief.

1 possible. However, the Court has an extremely large number of pro se plaintiff civil rights cases
2 pending before it, and delay is inevitable. As long as a party keeps the Court informed of the
3 party's current address, the Court will provide notice of all actions which might affect the case as
4 soon as an action is taken in the case." (ECF No. 29, Order at III (C).) The Court is aware of
5 Plaintiff's third amended complaint and will screen the complaint in due course. Accordingly,
6 Plaintiff's motion to expedite the screening of his complaint is DENIED.

7
8 IT IS SO ORDERED.

9 Dated: **January 23, 2025**



STANLEY A. BOONE
United States Magistrate Judge